

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1

For: CHIMERIC BIRD FROM EMBRYONIC STEM CELLS

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Sir:

I. DOCUMENTS ENCLOSED:

In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER 37 CFR § 1.53(f)**, which was mailed by the Patent Office on May 3, 2002, enclosed are:

- ☒ Declaration
- ☒ Power of Attorney: ☒ Separate or ☐ Combined with Declaration
- ☒ Assignment of the invention to Origen Therapeutics (together with PTO Form 1595)
- ☒ A copy of the Notice to File Missing Parts of Application under 37 CFR § 1.53(f)

OC-113316.1

CERTIFICATE OF MAILING
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

EV 051628850 US
Express Mail Label No.

July 03, 2002
Date of Deposit

Lynne Fulmer

Name of Person Mailing Paper

Lynne Fulmer
Signature of Person Mailing Page

- ☒ OTHER: Copy of sequence listing (paper copy) and diskette copy; Information Disclosure Statement; PTO Form 1449 and copies of cited references; and return postcard

II. REQUEST FOR EXTENSION OF TIME:

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

- ☐ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/> one month	\$55.00	\$110.00
<input type="checkbox"/> two months	\$200.00	\$400.00
<input type="checkbox"/> three months	\$460.00	\$920.00
<input type="checkbox"/> four months	\$720.00	\$1,440.00
<input type="checkbox"/> five months	\$980.00	\$1,960.00

Fee

- ☐ If any extension fee is required, please consider this a petition therefor.

III. FILING FEES

- ☒ Applicant claims small entity status pursuant to 37 CFR 1.27.

BASIC FILING FEE:						\$740.00
Total Claims	50	-	20	=	30	x \$18.00 \$540.00
Independent Claims	7	-	3	=	4	x \$84.00 \$336.00
Multiple Dependent Claims	\$280	(if applicable)				<input checked="" type="checkbox"/> \$280.00
Surcharge 37 CFR § 1.16(e)	\$130	(if applicable)				<input checked="" type="checkbox"/> \$130.00
TOTAL OF ABOVE CALCULATIONS						\$2,026.00
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.						<input checked="" type="checkbox"/> \$1013.00
Extension of Time (from above)						\$0.00
Assignment -- \$40 (if applicable)						<input checked="" type="checkbox"/> \$40.00
TOTAL FEES SUBMITTED HERewith						\$1,053.00

IV. METHOD OF PAYMENT OF FEES:

- ☐ A check in the amount of _____ is enclosed to cover the above fee(s).

- ☒ Charge Lyon & Lyon's Deposit Account No. **12-2475** in the amount of **\$1,053.00**.
- ☒ The Commissioner is authorized to charge Lyon & Lyon's Deposit Account No. **12-2475** for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. **12-2475**.

Respectfully submitted,

LYON & LYON LLP

Dated: July 3, 2002

By: 

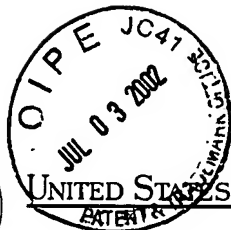
Kurt T. Mulville, Reg. No. 37,194



22249

PATENT TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/067,148	02/01/2002	Robert Etches	271/123

CONFIRMATION NO. 4804

FORMALITIES LETTER



OC000000008016777

22249
LYON & LYON LLP
633 WEST FIFTH STREET
SUITE 4700
LOS ANGELES, CA 90071

07/11/2002 SFELEKE1 00000076 10067148

01 FC:201	370.00 CH
02 FC:202	160.00 CH
03 FC:203	270.00 CH
04 FC:204	140.00 CH
05 FC:205	65.00 CH

Date Mailed: 05/03/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/11/2002 SFELEKE1 00000076 122475 10067148

FILED UNDER 37 CFR 1.53(b)

01 FC:201	370.00 CH
02 FC:202	160.00 CH
03 FC:203	270.00 CH
04 FC:204	140.00 CH
05 FC:205	65.00 CH

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- Additional claim fees of **\$587** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1022** for a Small Entity

- **\$370** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$587**
 - **\$279** for **31** total claims over 20.
 - **\$168** for **4** independent claims over 3.
 - **\$140** for multiple dependent claim surcharge.

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE